

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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POWERFUL KATINKA, INC.  
d/b/a PEARL OYSTER BAR,

Plaintiff,

-against-

EDWARD McFARLAND & ED'S LOBSTER  
BAR, LLC,

Defendants.  
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07 Civ. 6036 (SAS) (AJP)

**SCHEDULING ORDER**

**ANDREW J. PECK, United States Magistrate Judge:**

At the parties' request, because settlement efforts have collapsed, the fact discovery cutoff is extended to be co-terminous with the existing expert discovery cutoff of May 30, 2008. Expert reports are now due April 28, 2008. The PTO remains due June 13, 2008 as previously ordered. There will be no further extensions of these deadlines.

If either party wishes to file a summary judgment motion, it shall discuss the issue at the May 1, 2008 final pretrial conference with Judge Scheindlin. Absent other order by Judge Scheindlin, the summary judgment motion (or cross-motions) shall be due June 13, 2008, along with the Joint Pretrial Order.

SO ORDERED.

Dated: New York, New York  
April 9, 2008

  
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**Andrew J. Peck**  
United States Magistrate Judge

Copies **by fax & ECF** to: David Jacoby, Esq.  
Alan Serrins, Esq.  
Alon Markowitz, Esq.  
L. Peter Parcher, Esq.  
Judge Shira A. Scheindlin